



13/11/07

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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P (S) No.6269/2007

PETITIONER

Smt. Amita Sherpa,
D/o Shri Ramsai Sherpa, Aged
about 37 years, R/o Village Dugli,
Tahsil Nagri, District Dhamtari (C.G.)

Versus

RESPONDENTS

- 1 State of Chhattisgarh,
Through the Secretary,
Department of Women & Child
Development, Mantralaya, D.K.S.
Bhawan, Raipur (C.G.)
- 2 The Collector,
District Dhamtari (C.G.)
- 3 Chief Executive Officer, Janpad
Panchayat, Nagri District Dhamtari
4. District Child and Women
Development Officer, Dhamtari
(C.G.)
5. Project Officer, Integrated Child
Development Project Nagri- Sihawa,
District Dhamtari (C.G.)

**WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA**

Appearance:

Shri Mateen Siddique, Counsel for the petitioner.
Shri Satish Gupta, Dy. Govt. Advocate for the State on advance
copy.

ORAL ORDER
(05.11.2007)

SUNIL KUMAR SINHA, J.

Heard.

The petitioner has challenged the validity of the order dated 18/5/2007 (Annexure P/15) passed by the Collector, by which, a direction has been issued to cancel the appointment of the petitioner on the ground that the father of the petitioner is working as a Forest Guard. There is a reference in the order about the guidelines to be followed in the matter of appointment of *Aanganbadi* Worker and appointment of the petitioner has been directed to be cancelled on the following ground, which is contained in para 3 of the guidelines dated 6th of January 2000 :





“ 3. कोई सरकारी कर्मचारी अथवा पंचायती राज संस्थाओं/नगरीय निकाय के निर्वाचित अथवा मनोनीत सदस्य अथवा उनके सगे संबंधी को आंगनबाड़ी कार्यकर्ता नियुक्त नहीं किया जा सकेगा।”

Learned counsel for the State submits that admittedly, this order relates to cancellation of appointment of *Aanganbadi* Worker, for which, there is a provision of appeal before the Appellate Authority.

In view of the above, I am not inclined to interfere in this matter at this stage. However, without commenting on the merits of the case, this petition is disposed of with a liberty to the petitioner to file a duly constituted appeal before the Appellate Authority.

Sd/-
Sunil Kumar Sinha
Judge

Dhyana